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OFFICE OF PETITIONS

In re Application of
Klaas Kooyker, et. al.
Application No. 10/525,474
Filed: February 23, 2005
Attorney Docket No. NL 020791

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed January 14, 2009, to revive the above-identified application.

The instant petition is not signed by an attorney of record. However, in accordance with 37 CFR 1.34(a), the signature of Dicran Halajian appearing on the petition shall constitute a representation to the United States Patent and Trademark Office that he/she is authorized to represent the particular party on whose behalf he/she acts. If Dicran Halajian desires to receive future correspondence regarding this application, the appropriate power of attorney or authorization of agent must be submitted. A courtesy copy of this decision is being mailed to petitioner. Nevertheless, all future correspondence regarding this application file will be directed solely to the address of record until otherwise instructed.

The application became abandoned for failure to file a proper reply to the non-final Office action mailed July 10, 2008. A Notice of Abandonment was mailed on October 30, 2008.

It is not apparent whether the statement of unintentional delay was signed by a person who would have been in a position of knowing that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional. Nevertheless, in accordance with 37 CFR 10.18, the statement is accepted as constituting a certification of unintentional delay. However, in the event that petitioner has no knowledge that the delay was unintentional, petitioner must make such an inquiry to ascertain that, in fact, the delay was unintentional. If petitioner discovers that the delay was intentional, petitioner must so notify the Office.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of an amendment; (2) the petition fee of \$1,620; and (3) a proper statement of unintentional delay. Therefore, the petition is **GRANTED**.

This application file is being referred to Technology Center Art Unit 3742 for appropriate action by the Examiner in the normal course of business on the amendment filed with the present petition.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3226

A handwritten signature in black ink, appearing to read 'A. Smith', is written over the printed name.

Andrea Smith
Petitions Examiner
Office of Petitions

cc: Dicran Halajian
Thorne & Halajian, LLP
111 West Main Street
Bay Shore, NY 11706